

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jay Hosler, Peter Lothberg
Assignee: Cisco Technology, Inc.
Title: REFLECTOR COMMUNICATIONS CHANNEL FOR AUTOMATIC PROTECTION SWITCHING
Serial No.: 09/537,439 Filed: March 27, 2000
Examiner: Ronald B. Abelson Group Art Unit: 2666
Docket No.: CIS0034US

Austin, Texas
April 13, 2005

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A
COPENDING APPLICATION

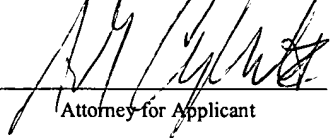
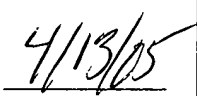
Sir:

Petitioner, Cisco Technology, Inc. a California corporation having a place of business at 170 W. Tasman Drive, San Jose, California 95134 is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of copending Application No. 09/752,001. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

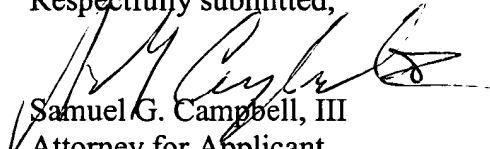
In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. § 1.20(d), the commissioner is authorized to charge the fee of \$130.00 to Deposit Account No. 502306 for this Terminal Disclaimer as set forth in the enclosed transmittal letter.

The undersigned represents that he is authorized to sign on behalf of Petitioner.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on April 13, 2005	
	
Attorney for Applicant	Date of Signature

Respectfully submitted,


Samuel G. Campbell, III
Attorney for Applicant
Reg. No. 42,381
(512) 439-5084 [Phone]
(512) 439-5099 [Fax]

2666
cw



CAMPBELL
STEPHENSON
ASCOLESE LLP

4807 Spicewood Springs Road
Building 4, Suite 201
Austin, Texas 78759
T: 512-439-5080
F: 512-439-5099
Docket No.: CIS0034US

April 13, 2005

COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, VA 22313-1450

Re: Applicant(s): Jay Hosler, Peter Lothberg
Assignee: Cisco Technology, Inc.
Title: REFLECTOR COMMUNICATIONS CHANNEL FOR
AUTOMATIC PROTECTION SWITCHING
Serial No.: 09/537,439
Examiner: Ronald B. Abelson
Docket No.: CIS0034US
Filed: March 27, 2000
Group Art Unit: 2666

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) Return Receipt Postcard;
- (2) This Transmittal Letter (1 page) (in duplicate); and
- (3) Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Copending Application (2 pages).

- ☐ No additional fee is required.
- ☒ The fee has been calculated as shown below:

CLAIMS AS AMENDED

	Claims Remaining <u>After Amendment</u>		Highest No. Previously <u>Paid For</u>		Present <u>Extra</u>		Rate		Additional <u>Fee</u>
Total Claims	42	Minus	42	=	0	x	\$50.00	\$	\$0
Independent Claims	3	Minus	3	=	0	x	\$200.00	\$	\$0
<input checked="" type="checkbox"/> Fee for Terminal Disclaimer								\$	130.00
<input checked="" type="checkbox"/> Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.									
<input checked="" type="checkbox"/> Please charge our Deposit Account No. 502306 in the amount of								\$	130.00
<input checked="" type="checkbox"/> Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 502306.									
Total:									\$ 130.00

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on April 13, 2005.

[Signature]

Attorney for Applicants

4/13/05

Date of Signature

Respectfully submitted,
[Signature]
Samuel G. Campbell III
Attorney for Applicants
Reg. No. 42,381